

# GUIDANCE ON MANUFACTURER AND WHOLESALER INSPECTION PROGRAM



Department of  
Primary Industries  
Food Authority



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## Introduction

Businesses that manufacture or wholesale food in NSW fall under the NSW Food Authority's Manufacturer/Wholesaler Inspection Program (MWIP) and are required to have inspections.

This guideline document provides detailed information on inspection items that have varying categories of severity and aims to provide Food Safety Officers (FSO) with a framework to ensure a consistent approach is applied when inspecting facilities - from small manufacturers to larger operations.

### Fixed premises

All facilities (excluding food transport vehicle inspections) are inspected against the Food Standards Code. It should be emphasised that all facilities are required to be assessed against the level of food safety risk.

When conducting an inspection the FSO must consider the following factors:

- **What is the food safety risk associated with the food product being manufactured?**
- **Does the manufacturer have systems in place to monitor/evaluate their food safety risks?**
- **What is the overall level of cleanliness of the facility?**
- **Who does the facility receive ingredients/ raw materials/ food products from?**
- **Who does the facility supply food products to?**
- **An inspection is a 'snapshot' in time of the overall processing and hygiene practices for that premises.**

Before the FSO leaves the MWIP premises, they need to ask themselves the question 'Can I walk out of this facility and be confident that there are systems in place to ensure safe food is produced and the consumer is protected'.

If the FSO does not have confidence in the processes and hygiene practices within the facility, they must record an unacceptable inspection outcome and implement an appropriate compliance action. The compliance action **MUST** be supported by evidence.

The tables below are guidelines for inspections, based on existing knowledge and data, and are typically the main areas of risk to be aware of.

It should be noted however that these are guidelines only and intended to be used in conjunction with other available resources and the professional judgement and knowledge of the FSO.



Table 1. Inspection guidelines – food safety risks to be aware of when conducting an inspection

Facility	Food Safety Risks to Consider
<b>Vehicles</b>	<ul style="list-style-type: none"> <li>• Temperature control</li> <li>• Vehicle must be maintained so they can be effectively cleaned</li> <li>• Cleanliness of storage area</li> <li>• Current NSW Food Authority licence</li> </ul>
<b>Bakery ( breads, cakes, biscuits)</b> <ul style="list-style-type: none"> <li>• Cakes / muffins</li> <li>• High moisture baked goods</li> <li>• Snack foods</li> <li>• Biscuits</li> <li>• Bread, pizza bases, wraps</li> <li>• Pre-mix baking products</li> <li>• Cereals</li> <li>• Grain milling</li> <li>• Sliced meat rolls (e.g. Pork rolls)</li> </ul>	<ul style="list-style-type: none"> <li>• Temperature control for high risk food</li> <li>• Use of high risk foods – raw eggs, meat, dairy</li> <li>• Use of perishable ingredients</li> <li>• Adequate declaration of allergens and prevention of cross contamination – gluten and egg – on labelling</li> <li>• Cleanliness of equipment <ul style="list-style-type: none"> <li>– Robot couple (mixer)</li> <li>– Piping bags</li> <li>– Food contact surfaces</li> <li>– Knowledge of cleaning and sanitising</li> </ul> </li> <li>• Pest access and harbourage on the premises</li> </ul>
<u><a href="#">Noodles</a></u> <u><a href="#">Rice</a></u>	<ul style="list-style-type: none"> <li>• Heat treatment of product</li> <li>• Condensation (from steam) if cooking noodles</li> <li>• Preservative use (<a href="#">FSC 1.3.1</a>) <ul style="list-style-type: none"> <li>– Not permitted is Borax or boric acid</li> </ul> </li> <li>• Intrinsic factors – pH and water activity</li> <li>• Cooling process</li> <li>• Storage and transport of noodles (under refrigeration)</li> <li>• Labelling of storage instructions, e.g. must be stored &lt;math&gt;5^{\circ}\text{C}&lt;/math&gt;</li> </ul>

<p><a href="#">Tofu</a></p> <p><a href="#">Soybean curd</a></p>	<ul style="list-style-type: none"> <li>• Heat treatment process / storage temperature</li> <li>• Cooling process</li> <li>• Handling of raw ingredients and final product</li> <li>• Storage of dry goods and ingredients</li> </ul>
<p><b>Baby / Infant food formula</b></p>	<ul style="list-style-type: none"> <li>• Hygiene programs are in place and being adhered to</li> <li>• Allergens – declarations and cross contamination</li> <li>• Control strategies are in place during manufacturing, dehydration, rehydration, handling of ingredients</li> <li>• Contamination between utensils and equipment</li> <li>• Potential licensing if dairy is &gt; 50%</li> </ul>
<p><b>Water / bottled drinks</b></p> <p><b>Ice manufacturer</b></p>	<ul style="list-style-type: none"> <li>• Microbial contamination</li> <li>• Foreign matter</li> </ul>
<p><b>Ready-to-eat (RTE) meals</b></p>	<ul style="list-style-type: none"> <li>• Heat treatment process</li> <li>• Cooling process</li> <li>• Knowledge of cleaning and sanitising</li> <li>• Instructions for reheat / cooking / storage / date marking – shelf life</li> </ul>
<p><b>Powdered drink products</b></p>	<ul style="list-style-type: none"> <li>• Use of additives – must be permitted under <a href="#">FSC 2.9.4</a> (Formulated Supplementary Sports Foods)</li> <li>• Vitamin/minerals claims are restricted</li> <li>• Prohibited representations on enhanced performance or physiological effects – labelling compliance with FSC 2.9.4</li> <li>• Must meet specific labelling requirements under FSC 2.9.4</li> <li>• Not a sole food</li> <li>• Conjunction with training/exercise</li> <li>• Directions of quantity/frequency of intake</li> <li>• Daily consumption recommendations</li> </ul>

	<ul style="list-style-type: none"> <li>• Suitable for +15yrs / not pregnant</li> </ul>
<b>Shelf stable / frozen meals</b> <b>Canning</b> <b>Pasteurised juice</b> <b>Pasteurised sauces</b> <b>Condiment / syrup manufacturer</b> <b>Soy beverages / vegetarian sauce</b>	<ul style="list-style-type: none"> <li>• Correct storage temperature</li> <li>• Validation / monitoring of processing records and procedures</li> <li>• Appropriate use of date markings</li> </ul>
<b>Spices / pepper</b> <b>Coffee roasting / bean grinding</b>	<ul style="list-style-type: none"> <li>• Prevention of foreign material</li> <li>• Efficacy of heat treatment (if applicable)</li> </ul>
<b>Cold / dry storage</b>	<ul style="list-style-type: none"> <li>• Temperature / monitoring of cold storage</li> <li>• Prevention / harbourage of pests (entry points, unsealed openings)</li> </ul>
<b>Confectionery</b> <b>Artificial sweeteners</b>	<ul style="list-style-type: none"> <li>• Maximum levels of additives (<a href="#">FSC 1.3.1</a>), <a href="#">specifically colours (schedule 3 and 4)</a></li> <li>• Nutrition Information Panels suitable for Australia / NZ</li> </ul>
<a href="#">Mayonnaise (raw egg)</a> <b>Unpasteurised sauces / dressings</b>	<ul style="list-style-type: none"> <li>• Raw / pasteurised egg use</li> <li>• Cooking / cooling temperatures</li> <li>• Storage temperature</li> <li>• Acidification</li> <li>• Knowledge of cleaning and sanitising</li> </ul>
<b>Alcoholic beverages</b>	<ul style="list-style-type: none"> <li>• Process to control entry of foreign matter</li> <li>• Importer details (if applicable)</li> <li>• Adequate lot coding (link to manufacturer's code, if imported)</li> <li>• Standard drinks and % alcohol on label</li> <li>• For wine: declaration of allergens (if applicable)</li> </ul>
<a href="#">Contract food packer</a>	<ul style="list-style-type: none"> <li>• Appropriate clothing to prevent cross contamination</li> </ul>



	<ul style="list-style-type: none"> <li>• Personal hygiene of workers</li> <li>• Sick/ ill worker policy</li> <li>• Providing food products to vulnerable populations</li> </ul>
<u>Importer / exporter</u>	<ul style="list-style-type: none"> <li>• Recall / traceability procedures documented</li> <li>• Labelling compliance system in place</li> <li>• Complies with additive permissions of the <a href="#">FSC (1.3.1)</a></li> <li>• Importers business details labelled stating physical street address</li> <li>• Appropriate date mark used</li> <li>• English language prominent</li> </ul>
<b>Cook chill products</b> <b>Dim sims</b>	<ul style="list-style-type: none"> <li>• Use of raw ingredients</li> <li>• Cooking / cooling times and temperatures and the effect on shelf life</li> <li>• Labelling adequate declares allergens</li> <li>• Cooking / heating directions (if applicable)</li> </ul>
<u>Fresh fruit / vegetables</u>	<ul style="list-style-type: none"> <li>• Storage of fresh produce (if require refrigeration)</li> <li>• Prevent the harbourage of pests</li> <li>• Prevention from organic contaminants</li> <li>• Country of origin adequate on labels</li> <li>• Processing equipment</li> <li>• Cleanliness of equipment and prevention of cross contamination</li> </ul>
<u>Fermented vegetable products</u> <u>(Shelf stable acid preserved foods)</u>	<ul style="list-style-type: none"> <li>• Intrinsic properties</li> <li>• pH, water activity, salt content</li> </ul>
<b>Specialty eggs</b>	<ul style="list-style-type: none"> <li>• Process control and validation</li> <li>• pH and salt content at processing</li> <li>• Temperature control</li> </ul>

Table 2: Guidelines for severity at MWIP inspections

Category	Minor	Major	Critical
<b>Hygiene &amp; Sanitation</b>			
Cleaning	Cleaning has not been effective as minor visible matter was observed on any of the following: <i>Walls, ceiling, floor, freezer, cool room, fittings and fixtures.</i>	Detailed cleaning of the entire premises has not been conducted for an extended period of time or is ineffective as substantial areas of the facility have visible contamination.	Significant accumulation of food waste, dirt, grease or visible matter on surfaces, fixtures, fittings and equipment with no cleaning being conducted on a regular basis.
<b>Construction &amp; Maintenance</b>			
Construction (floors, walls, ceiling, and fixtures)	Various areas require minor repairs (walls, ceilings, floors).	Business has numerous issues that have not been repaired, or scheduled for repair.	Business has significant structural damage that poses an imminent food safety risk.  No attempt has been made to rectify significant issues.  Observed non-compliance for construction defects associated with food contact surfaces.
Hand wash basin	Hand washing facilities are present however <b>one</b> of the following is not present: <ul style="list-style-type: none"> <li>• Warm running water</li> <li>• Single use towels</li> <li>• Soap</li> </ul> OR Hand washing facilities are being used for other non-hand washing purposes ( <i>e.g. dish washing, dirty utensil storage, food preparation etc.</i> ).	If <b>more than one</b> instance of non-compliance is observed.	No hand washing facilities are present and operational  OR Hand washing facilities are not easily accessible by food handlers.



Process Control			
Storage Temperature	Temperature of chilled products 5 -10 °C	Temperature of chilled products 10-15 °C <b>Potentially Hazardous Food</b> – temperature of chilled products 5 -10°C.	Temperature of chilled products > 15°C <b>Potentially Hazardous Food</b> – temperature of chilled products > 10 °C.
Food Safety Systems		The business has failed to follow their own food safety system (example: HACCP plan) by failing to identify and control food safety hazards	A significant food safety risk has not been addressed by the business with respect to: <ul style="list-style-type: none"> <li>• monitoring hazards</li> <li>• control measures,</li> <li>• corrective actions</li> </ul>
Cross Contamination			Significant food safety risk was identified.
Chemical Storage		Potential for cross-contamination was identified Example: window cleaner left on bench,	Significant food safety risk was identified. Example: Toxic chemicals found near food or unclean clothing / dirty cloths stored in production area.
Disposal of food			Food for disposal is not held or kept separate until it is: <ul style="list-style-type: none"> <li>• destroyed</li> <li>• disposed</li> <li>• returned to its supplier</li> <li>• further processed in a way that ensures its safety and suitability, or</li> <li>• ascertained to be safe and suitable.</li> </ul> Food for disposal must be <b>clearly identified</b> as returned food, or food that is or may not be safe or suitable, as the case may be.

Product ID, Traceability			
Traceability			Business cannot provide <ul style="list-style-type: none"> <li>• name</li> <li>• address</li> <li>• manufacturer</li> <li>• packer</li> <li>• importer</li> </ul> details when requested.
Labelling			
	<ul style="list-style-type: none"> <li>• Name / description of food is missing</li> <li>• Characterising ingredients omitted</li> <li>• 'Best Before' date omitted</li> <li>• Country of origin absent</li> <li>• Nutritional information panel omitted</li> <li>• Illegible labelling</li> <li>• Nutritional information panel non-conformance</li> <li>• Storage conditions omitted</li> </ul>	<ul style="list-style-type: none"> <li>• Ingredients list omitted / incorrect</li> <li>• High level health claims breach</li> <li>• Batch / lot coding omitted</li> </ul>	<ul style="list-style-type: none"> <li>• Mandatory advisory / warning statements omitted</li> <li>• Packaged products did not have a 'use by date'. Refer to <a href="#">FSC 1.2.5</a> for exceptions.</li> <li>• Misleading / false description</li> <li>• Storage conditions omitted (Critical only for potentially hazardous food)</li> </ul>
Allergens			Allergens not identified / declared.
Recall Systems			
			No system in place to recall unsafe food.
		No current list of FSANZ recall officers.	

		No up to date list of customers or where products have been distributed.	
		The recall system does not include a system that identifies product to be recalled.	
		The recall system does not identify actions to recall the product from the customer.	
<b>Analytical &amp; Testing</b>			
Testing			Food does not comply with chemical or biological levels outlined in the Food Standards Code.
<b>Pre-requisite Programs</b>			
Food handling	Isolated incident where food handlers are observed having unnecessary contact with food.		Multiple incidents are observed where handlers exhibit unnecessary contact with food.
Calibration		Thermometer is not accurate to $\pm 1^{\circ}\text{C}$ .	Thermometer/pH meter was not operational or available.
Pests	Sighting of small number of insects. No evidence of infestation, breeding or excreta. Steps have been taken to control pest infestation such as pest control program.	Multiple pest sightings and no effective pest control programs.	High levels of pests Evidence of harbourage Evidence of breeding Failure to prevent entry of pests Inadequate or no pest control programs Evidence of droppings, smears

Chemicals		Unsuitable chemicals used in facility and/or not used per manufacturer's instructions.	No cleaning chemicals available in the facility.
Animals		Animals are present in an area that is <b>not</b> used to produce food (e.g. dispatch area).	Animals were present at the time of the inspection within the food production area.
Storage of waste	No pests were observed but the storage of garbage or recyclable matter does not prevent the harbourage of pests.	Pests were observed, but garbage and recyclable matter does not pose a high food safety risk.	Business has significant food safety risk due to build-up of garbage and/or recyclable matter resulting in generally unclean premises.
<b>Corrective Action</b>			
Previous Corrective Action Requests (CARs)	Facility has failed to rectify defects identified through self-monitoring.	Facility has failed to rectify <b>minor</b> CAR's issued at previous inspection.	Facility has failed to rectify <b>major</b> CARs issued at previous inspection.  <i>If facility has not closed out a major or critical CAR, the Food Safety Officer will take enforcement action.</i>



Table 3. Inspection result

Rating	Total number of allocated points	Inspection result
A	0 – 15	ACCEPTABLE
B	16 – 31	ACCEPTABLE
C	32 – 47	MARGINAL
D	48 – 63	UNACCEPTABLE
E	64 and above	UNACCEPTABLE

Table 4. Recommended enforcement action

Rating	Enforcement Action
A	The Food Authority will implement appropriate enforcement actions to control food safety risks. Possible enforcement actions are outlined in the following section
B	
C	
D	
E	

## Unacceptable inspection outcome

If critical non-conformances are identified during an inspection or an unacceptable inspection outcome is recorded, the officer will obtain evidence such as photos, samples and recordings (interview) in order to implement appropriate enforcement action.

Enforcement action will be taken by a FSO, in accordance with the Food Authority [Compliance and Enforcement Policy](#). This may include, but is not limited to the following;

- A verbal or written warning – the business is warned that further non-conformance may result in further enforcement action being taken. This warning will be documented in the inspection report.
- An Improvement Notice - the business is given a period of time to fix a non-conformance before a FSO returns to check that the issue has been addressed and is compliant. The time-frame is determined by the FSO based on the food safety risks posed by the non-conformance and the expected time taken to rectify the issue. Time-frames can range from 24 hours up to 12 months. If the non-conformance/s is/are not rectified within the specified time-frame, the FSO can issue a Penalty Notice and/or a Prohibition Order (see below). A fee of \$330 is attached to all Improvement Notices to cover the expense of conducting a follow-up inspection to ensure the non-compliance has been rectified. Any additional inspections that may be required to verify compliance with an Improvement Notice will attract further costs.
- A Penalty Notice – the business is given a fine for the non-conformance identified during the inspection. Fines range in severity depending on the nature of the offence and multiple fines may be issued. Fines are normally issued in conjunction with other enforcement actions to ensure that long term compliance with food safety standards is achieved. The business can also be placed on the *Name & Shame* register which is published on the Food Authority website.
- A Prohibition Order- this can be issued on a business where serious non-conformances are identified. This order means that the business cannot operate at all, produce a specific type of food, use a specific process, or use certain equipment, for a period of time. The time period can range from 24 hours, up to permanent prohibition from operating.
- Prosecution – the Food Authority will commence legal proceedings against a business for continued failure to comply with food safety standards and/or failure to produce safe and suitable food. The business can also be placed on the *Name & Shame* register which is published on the Food Authority website.

If a business records an unacceptable inspection outcome, the Food Authority will conduct further inspections, at full cost, until all food safety risks have been controlled and all enforcement actions have been successfully completed. The frequency of inspections will be maintained at an appropriate level until the business is able to demonstrate their continued commitment to food safety and their ability to produce safe and suitable food.





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